

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

CONSTELLATION ENTERPRISES LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 7

Case No. 16-11213 (CSS)  
(Jointly Administered)

**Re: Dkt. No. 1330**

**NOTICE OF DEADLINE AND PROCEDURES FOR FILING REQUESTS FOR  
PAYMENT OF ADMINISTRATIVE EXPENSE CLAIMS AGAINST COLUMBUS STEEL  
CASTINGS COMPANY AND STEEL FORMING, INC.**

**TO ALL PERSONS AND ENTITIES WITH ADMINISTRATIVE CLAIMS  
AGAINST ANY OF THE ESTATES OF THE FOLLOWING CHAPTER 7  
DEBTORS:**

<b>Debtor:</b>	<b>Case Number:</b>
Columbus Steel Castings Company	16-11215 (CSS)
Steel Forming, Inc.	16-11220 (CSS)

**PLEASE TAKE NOTICE** that on May 16, 2016 (the “Petition Date”), Constellation Enterprises, LLC and its affiliates (collectively, the “Debtors”), including Columbus Steel Casting Company (“Columbus Steel”) and Steel Forming, Inc. (“Steel Forming”) commenced their respective bankruptcy cases (the “Bankruptcy Cases”) by filing voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”).

**PLEASE TAKE FURTHER NOTICE** that on September 27, 2017, an Order was entered by the Bankruptcy Court converting the Debtors’ chapter 11 cases to cases under chapter 7 of the Bankruptcy Code, effective as of October 2, 2017 (the “Conversion Date”).

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<sup>1</sup> The Debtors in these cases, along with the last four digits of the federal tax identification number for each of the Debtors, where applicable are: Constellation Enterprises LLC (9571); JFC Holding Corporation (0312); The Jorgensen Forge Corporation (1717); Columbus Holdings Inc. (8155); Columbus Steel Castings Company (8153); Zero Corporation (0538); Zero Manufacturing, Inc. (8362); Metal Technology Solutions, Inc. (7203); Eclipse Manufacturing Co. (1493); and Steel Forming, Inc. (4995).

**PLEASE TAKE FURTHER NOTICE** that the Office of the United States Trustee for the District of Delaware has appointed David W. Carickhoff as the Chapter 7 Trustee (the “Trustee”) for the Debtors’ estates (the “Estates”).

**PLEASE TAKE FURTHER NOTICE** that, on October 19, 2021, the Bankruptcy Court entered the *Order (i) Establishing the Deadline and Certain Procedures for Filing Requests for Payment of Administrative Expense Claims Against Columbus Steel Castings Company and Steel Forming, Inc., (ii) Authorizing the Release and Approving Procedures for Disbursement of Certain Escrowed Funds and (iii) Granting Related Relief* [[Docket No. 1330](#)] (the “Bar Date Order”).

**PLEASE TAKE FURTHER NOTICE** that the Trustee believes that the Estates of Columbus Steel and Steel Forming may have funds available for distribution to holders of allowed administrative expense claims asserted pursuant to section 503(b) of the Bankruptcy Code (“Administrative Claims”) against such Estates. In addition, the Bar Date Order establishes procedures by which the Trustee may distribute certain escrowed Wind Down Funds to holders of allowed Administrative Claims arising under section 503(b)(9) of the Bankruptcy Code against Columbus Steel (“Columbus Steel 503(b)(9) Claims”).

**PLEASE TAKE FURTHER NOTICE** that the Bar Date Order establishes **December 20, 2021, at 5:00 p.m. (Prevailing Eastern Time)** (the “Bar Date”), as the deadline for all persons or entities (except as otherwise provided in this Notice) to file requests for payment of Administrative Claims against Columbus Steel and/or Steel Forming arising on or prior to August 31, 2021 (each a “Request for Payment”). For the avoidance of doubt, the Bar Date shall apply to all Columbus Steel 503(b)(9) Claims and any Administrative Claims arising under section 503(b)(9) against Steel Forming.

**You should consult an attorney if you have any questions, including whether to file a Request for Payment. If you have any questions with respect to this Notice, you may contact undersigned counsel for the Trustee.**

## **I. WHO MUST FILE A REQUEST**

**You MUST file a Request for Payment in accordance with the procedures approved by the Bankruptcy Court and set forth in this Notice unless it is a claim described in Section II below.**

**For the avoidance of doubt, any holder of a Columbus Steel 503(b)(9) Claim must file a Request for Payment in accordance with the procedures set forth in this Notice in order to be eligible to be paid from the Wind Down Funds which have been earmarked for paying Columbus Steel 503(b)(9) Claims.**

**For the further avoidance of doubt the Bar Date only applies to Administrative Claims against Columbus Steel and Steel Forming and not any Administrative Claims that may be asserted against other Debtors.<sup>2</sup>**

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<sup>2</sup> The Trustee is only establishing a bar date for filing Administrative Claims against Columbus Steel and Steel Forming as these are the only Estates which currently have any cash. The Trustee reserves the right to establish additional Administrative Claims bar dates as necessary by way of separate motion.

## II. WHO IS NOT REQUIRED TO FILE A REQUEST FOR PAYMENT

The following persons and entities are not be required to file a Request for Payment by the Bar Date:

- (a) the U.S. Trustee, on account of claims for fees payable pursuant to [28 U.S.C. § 1930](#);
- (b) Professionals retained in Chapter 11 Cases for any fees and expenses incurred prior to the Conversion Date;<sup>3</sup>
- (c) The Trustee's professionals for any fees and expenses incurred from the Conversion Date;
- (d) Governmental Units holding claims covered by section 503(b)(1)(B), (C) or (D) of the Bankruptcy Code;
- (a) any person or entity that believes it holds an Administrative Claim against any Debtor other than Columbus Steel or Steel Castings; and
- (e) any person or entity holding an Administrative Claim that accrued or arose after August 31, 2021.

**You should not file a Request for Payment if you do not have an Administrative Claim against Columbus Steel or Steel Forming which arose on or prior to August 31, 2021. Your receipt of this Notice does not mean that you have an Administrative Claim subject to the Bar Date or any other claim or that the Trustee or the Bankruptcy Court believes that you have an Administrative Claim or any other claim.**

## III. HOW TO FILE AND SERVE REQUESTS FOR PAYMENT

To file a Request for Payment, you must follow the procedures set forth below:

- (a) Each Request for Payment must: (i) comply with the Bar Date Order and this Bar Date Notice; (ii) be in writing and signed by the party asserting the Request for Payment or an authorized agent of such party; (iii) set forth with specificity all factual and legal bases supporting the asserted Request for Payment; (iv) include supporting documentation (or, if voluminous, include a summary of supporting documents, an explanation as to why such documentation is not included, and a concise description of the means by which the Trustee can reasonably and expeditiously obtain such supporting documents); (v) be in the English language; and (vi) be denominated in United States currency.
- (b) Each Request for Payment must specify by name the Debtor's(s') Estate(s) against which it is asserted and must conspicuously identify whether the Request for Payment asserts a Columbus Steel 503(b)(9) Claim.

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<sup>3</sup> The deadline for the chapter 11 professionals to file final fee applications for fees and expenses incurred in the Chapter 11 Cases has passed. Nothing in this Order is intended to or should be construed to extend such deadline.

- (c) Each Request for Payment must specify whether it is asserted as an expense of the Chapter 11 Cases or the Chapter 7 Cases.
- (d) Each Request for Payment must be filed with the Court by the Bar Date. Each Request for Payment must also be served upon, so as to be actually received by, undersigned counsel for the Trustee by the Bar Date via regular mail, overnight mail, hand delivery, or electronic mail.

#### **IV. EFFECT OF FAILURE TO FILE A TIMELY REQUEST FOR PAYMENT**

**UNLESS OTHERWISE ORDERED BY THE COURT, ANY POTENTIAL HOLDER OF AN ADMINISTRATIVE CLAIM AGAINST COLUMBUS STEEL OR STEEL FORMING WHO RECEIVES THIS BAR DATE NOTICE (WHETHER SUCH NOTICE WAS ACTUALLY OR CONSTRUCTIVELY RECEIVED) AND IS REQUIRED, BUT FAILS, TO FILE A REQUEST FOR PAYMENT IN ACCORDANCE WITH THE BAR DATE ORDER AND THIS BAR DATE NOTICE, (A) SHALL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST COLUMBUS STEEL OR STEEL FORMING OR THEIR RESPECTIVE ESTATES AND (B) SHALL NOT RECEIVE OR BE ENTITLED TO RECEIVE ANY PAYMENT OR DISTRIBUTION OF PROPERTY FROM THE ESTATES OF COLUMBUS STEEL OR STEEL FORMING (INCLUDING FROM THE (WIND DOWN FUNDS) WITH RESPECT TO SUCH REQUEST FOR PAYMENT.**

#### **V. NO REQUEST FOR SCHEDULING OF HEARING ON REQUESTS FOR PAYMENT**

Notwithstanding section 503(b) of the Bankruptcy Code any Requests for Payment shall be filed without a scheduled hearing date or response deadline or a request by the claimant for a scheduled hearing. To the extent a Request for Payment is disputed by the Trustee, and such dispute cannot be resolved consensually by the Trustee and the claimant, the Trustee will: (a) file an objection to the claimant's Request for Payment; (b) schedule a hearing on such objection and the affected Request for Payment; and (c) provide notice to the affected claimant of the Trustee's objection and scheduled hearing. All timely filed Requests for Payment will be deemed allowed, unless the Trustee disputes any such Request.

#### **VI. SOLE AND EXCLUSIVE METHOD**

The procedures set forth in this Notice are the sole and exclusive method for the assertion of any Request for Payment that is required to be filed, and all claimants asserting a Request for Payment are prohibited from invoking any other means of asserting such claims pursuant to the Bankruptcy Code.

## VII. RESERVATION OF RIGHTS

Nothing contained in this Notice or any actions taken by the Trustee pursuant to the relief granted in the Bar Date Order is intended or should be construed as: (a) an admission as to the validity, status, amount or priority of any particular claim asserted against one or more of the Debtors or their Estates; (b) a waiver of the Trustee's rights to dispute any particular claim on any grounds; (c) a promise or obligation to pay any particular claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Motion; or (e) a waiver or limitation of the Trustee's rights under the Bankruptcy Code or any other applicable law.

Dated: October 19, 2021

By: /s/ Alan M. Root  
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